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B I L L

TO

Abolish Tests, and alter the Constitution of the Governing A.D. 1873.
Body in Trinity College and the University of Dublin.

WHEREAS it is expedient that the benefits of Trinity College and the University of Dublin, and of the schools in the said University as places of religion and learning, should be rendered freely accessible to the nation:

5 And whereas by means of divers restrictions, tests, and disabilities many of Her Majesty's subjects are debarred from the full enjoyment of the same:

And whereas it is expedient that such restrictions, tests, and disabilities should be removed, under proper safeguards for the good 10 government of the said college and university as a place of religion and learning, and that certain alterations be made in the constitution and government of the same in order to render the said government more speedily accessible to all duly qualified persons:

Be it therefore enacted by the Queen's most Excellent Majesty, 15 by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the University of Dublin Tests Act, Short title. 1873.

20 2. In the construction of this Act,—

The word "office" includes professorship, assistant or deputy Interpretation. professorship, public readership, prelectorship, leefareship, assistant lectureship, provostship, fellowship, studentship, tutorship, scholarship, and exhibition, and also any office or emolument not in this section specified, the income of which is payable out of the revenues or income of the said university or college, or any of the schools therein, or which is held and enjoyed by any member of the same.

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A.D. 1873. 3. From and after the *passing of this Act* no person shall be required upon exercising, or to enable him to exercise, any of the rights and privileges which may heretofore have been or may hereafter be exercised by students or graduates in the said university, or upon taking or holding, or to enable him to take or hold, any office in the said university or college as aforesaid, or upon teaching, or to enable him to teach within the said university or college, to subscribe to any article or formulary of faith, or to make any declaration or take any oath respecting his religious belief or profession, or to conform to any form of public worship, or to do any act in connexion with any form of public worship, or to belong to any specified church, sect, or denomination; nor shall any person be compelled in the said university or college to attend the public worship of any church, sect, or denomination to which he does not belong; and no person elected to a fellowship or any other office shall be deprived of his office by reason that he is not or does not become ordained in holy orders.

Constitution
and election
of Council.

4. On the first day of November one thousand eight hundred and seventy-three there shall be established a council of organization, to consist of the Provost, three Senior Fellows of Trinity College, to be elected by the senior fellows, four Junior Fellows of Trinity College, not being professors of the University, to be elected by the junior fellows, four professors, not being Fellows of Trinity College, to be elected by the professors, and four graduates of the University, not being either Fellows of Trinity College or Professors of the University, to be elected by the general body of the graduates of the University. Of this Council seven members shall be a quorum, and in case of equality of votes the Provost, or in his absence the Senior Member of the University present, shall have a casting vote.

Mode of
voting.

At every such election for the Council, every elector of each class shall be entitled to a number of votes equal to the number of persons to be elected to the Council at such election of that class, and may give all such votes to one candidate of that class, or may distribute them among the candidates of the class, as he thinks fit.

Council by
ordinance
to frame
schemes re-
specting re-
lations of
University
to the Col-
lege, &c.

5. Subject to the provisions of this Act, it shall be the duty of the said Council, before the first day of June one thousand eight hundred and seventy-four, by ordinance to make such schemes and frame such provisions as they may think fit respecting the general relations of the University to the College, and respecting the government and administration of the University and College, and generally in relation to any other matter affecting the University and College which is required or desired to be regulated by ordinance; but every

ordinance so made shall be provisional only, until confirmed as A.D. 1873, herein-after provided.

6. 1. The Council, shall as soon as may be after making a provisional ordinance, cause public notice of such ordinance to be given, and shall lay a copy thereof before Her Majesty in Council.

Notice of
ordinance to
be published.

2. Public notice shall be given of a provisional ordinance by the publication of a copy thereof in the "Dublin Gazette," and the production of a copy of the Gazette containing the notice shall be evidence of the notice and of the time of its publication.

10 3. Her Majesty may approve or refuse to approve such provisional ordinance, either wholly or as to part thereof.

7. All ordinances which shall be so published in the "Dublin Gazette" as aforesaid, shall be at the same time laid before both Houses of Parliament, if Parliament be sitting, or if not then within

Ordinances
to be laid
before Par-
liament.

15 three weeks after the commencement of the next ensuing session of Parliament, and unless an address is within forty days presented by one or other of the said Houses, praying Her Majesty to withhold her consent from such ordinances, or any parts thereof, or unless the confirmation of Her Majesty shall be withheld as aforesaid, it shall 20 be lawful for Her Majesty by Order in Council to confirm such ordinances respectively or any parts thereof to which such address shall not relate, or which she shall not have withheld her consent from; and the same shall thereupon become ordinances of the university or college, as the case may require; and if any such ordinances, or any part thereof, shall not be confirmed by Her Majesty, it shall be lawful for Her Majesty to extend the period in which the council of organization may continue to act for six months after the first day of June one thousand eight hundred and seventy-four, and the said council of organization may thereupon proceed to frame 30 another ordinance in that behalf, subject to the said conditions as to confirmation and as from time to time occasion may require.

8. Any ordinance made in manner provided by this Act shall, when confirmed by Her Majesty, be deemed to be within the powers of, and to be of the same force as if it were enacted in this 35 Act.

Such ordi-
nances to
have the
force of law.

9. The representative members of the said Council shall be elected on Wednesday the eighth day of October one thousand eight hundred and seventy-three.

Time of
election and
period of
holding
office.

10. The Provost of Trinity College shall on or before Monday the 40 first day of September one thousand eight hundred and seventy-three, make and promulgate all such regulations as to voting for, elections,

Regulations
as to voting,
&c.

A.D. 1873.

resignations, and return of members of the said Council as may be necessary for the election and assembling of the said body according to this Act, and for keeping the number of such body complete, and shall appoint the time and place at which they shall assemble; and if the Provost fail to comply with the provisions of this section, 5 the Chancellor of the University shall thereupon make such regulations in respect of the masters aforesaid as he may think fit.

Filling up
casual
vacancies.⁷

11. Any casual vacancy occurring by death, resignation, or otherwise among the representative members of the Council shall be filled by the election of a qualified person according to the directions 10 of this Act, upon a day not later than fourteen days, nor sooner than seven days after such occurrence to be fixed by the Provost of Trinity College and publicly notified by him.

Provision for
the case of
an equality
of votes

12. In case of equality of votes for any two or more of such senior and junior fellows, professors, or other members of the Council, the Provost shall name from amongst those persons for whom the votes shall be equal as many as shall be requisite to complete the number of senior and junior fellows, professors, or other members of the Council to be then chosen.

Power to
make rules.

13. Subject to the provisions of this Act, the said Council shall 20 have power from time to time to make rules for the regulation of their own proceedings, and to revise and alter the regulations herein-before directed to be made, whether the same shall have been made by the Provost of Trinity College, or in case of his failing to do so, by the Chancellor.

Repeal of
Acts.

14. Upon the passing of this Act, the Act specified in the Schedule to this Act is hereby repealed to the extent in the third column of the said Schedule expressed.

S C H E D U L E.

Date of Act.	Title of Act.	Parties repealed.	30
33 Geo. 3, c. 21, of the Parliament of Ireland.	An Act for the Relief of His Majesty's Papist or Roman Catholic subjects of Ireland.	So much of section 7, as excepts from the operation of said section the College of the Holy and Undivided Trinity, near Dublin.	35

University Tests
(Dublin).

B I L L

To abolish Tests, and also the Consideration of the Governing Body in Trinity College and the University of Dublin.

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(Prepared and brought in by
Mr. Penrose, Dr. Lyon Playfair, Mr. Flecker,
and Vincent O'Brien)

Ordered, by The House of Commons, to be Printed,
7 February 1872.

[Bill 12]

Under 1 oz.